

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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HARVEY H. JAY,

Plaintiff,

v.

SPECTRUM BRANDS HOLDINGS, INC.,  
SPECTRUM BRANDS, INC., and SHASER,  
INC.,

Defendants.

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C.A. No. 1:13-cv-8137-LTS-DCF

**NOTICE OF MOTION**

PLEASE TAKE NOTICE that upon the Memorandum of Law in Support of Defendants Spectrum Brands Holdings, Inc., Spectrum Brands, Inc., and Shaser, Inc.’s (collectively, “Spectrum’s”) Motion for Reconsideration of the Court’s Denial of Leave to Amend, Dated December 9, 2015, the accompanying Declaration of Wayne L. Stoner, and upon all the papers and pleadings filed in these actions, Spectrum by the undersigned attorneys will move this Court before Honorable Laura Taylor Swain, United States District Judge for the Southern District of New York, at the United States Courthouse, 500 Pearl Street, New York, NY 10007-1312, on a date to be determined, for an Order granting Spectrum’s motion for consideration, and granting Spectrum leave to amend its answer and counterclaims to include a defense and counterclaim of inequitable conduct.

Spectrum used its best efforts to resolve informally the matters raised in its motion, but was ultimately unsuccessful.

Dated: December 9, 2015

Respectfully submitted,

WILMER CUTLER PICKERING  
HALE AND DORR LLP

/s/ Shira C. Hoffman

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*Attorneys for Defendants and  
Counterclaim-Plaintiffs*

**CERTIFICATE OF SERVICE**

I hereby certify that on this December 9, 2015, I caused to be served a true and correct copy of the foregoing Motion for Reconsideration of the Court's Denial of Leave to Amend via the Court's ECF system upon all counsel of record.

/s/ Shira C. Hoffman